

**COMBINED DECLARATION
AND POWER OF ATTORNEY**

(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NOVEL SGS3 PLANT GENE AND USES THEREOF

This declaration is of the following type:

- ☐ original
- ☐ design
- ☒ national stage of PCT/FR00/02052
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (C-I-P)

the specification of which: (complete (a), (b), or (c))

- (a) ☐ is attached hereto.
- (b) ☒ was filed on January 11, 2002 as Application Serial No. 10/030,829 and was amended on (if applicable).
- (c) ☐ was described and claimed in PCT International Application No. filed on and was amended on (if applicable).

Acknowledgement of Review of Papers and Duty of Candor

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56.

☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98.

Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(complete (d) or (e))

- (d) ☐ no such applications have been filed.
- (e) ☒ such applications have been filed as follows:

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

ALL FOREIGN APPLICATION[S], IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

France	99/09417	16 July 1999		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
France	00/01006	26 January 2000		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date

Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120
(complete this part only if this is a divisional, continuation or C-I-P application)

(Application Serial No.)	(Filing Date)	Status (patented, pending, abandoned)

Power of Attorney

As a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Reg. No. 17,021; Francis J. Hone, Reg. No. 18,662; Arthur S. Tenser, Reg. No. 18,839; Ronald B. Hildreth, Reg. No. 19,498; Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Louis S. Sorell, Reg. No. 32,439; Rochelle K. Seide Reg. No. 32,300; Gary M. Butter, Reg. No. 33,841; Lisa B. Kole, Reg. No. 35,225; Paul A. Ragusa, Reg. No. 38,587; Paul D. Ackerman, Reg. No. 39,891; Gary Abelev, Reg. No. 40,479; Walter M. Egbert Reg. No. 37,317; Michael A. Fisher, Reg. No. 42,536; Anthony Giaccio, Reg. No. 39,684; Michelle Le Cointe, Reg. No. 39,684; Alicia A. Russo, Reg. No. 46,192; Carmella Stephens, Reg. No. 41,328; and Douglas Wyatt, Reg. No. 42,221 of the firm of BAKER BOTTS L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

SEND CORRESPONDENCE TO: BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112 CUSTOMER NUMBER: 21003	DIRECT TELEPHONE CALLS TO: BAKER BOTTS L.L.P. (212) 705-5000
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME Beclin	FIRST NAME Christophe	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY St-Rémy-les-Chevreuses	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 57, rue du Port Royal	CITY St-Remy-les-Chevreuses	STATE or COUNTRY France	ZIP CODE F-78470
DATE 02/25/2002	SIGNATURE OF INVENTOR			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME Elmayan	FIRST NAME Taline	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Dijon	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 8, rue Pierre Palliot, rue Tour Fendoir	CITY Dijon	STATE or COUNTRY France	ZIP CODE F-21000
DATE 06/03/2002	SIGNATURE OF INVENTOR			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	LAST NAME Vaucheret	FIRST NAME Hervé	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Rantzenwiller Montigny-le-Dk	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 3, rue de Waldbach, 15 rue 33 Rouman	CITY Rantzenwiller Montigny-le-Dk	STATE or COUNTRY France	ZIP CODE F-68510 78180
DATE 11/03/2002	SIGNATURE OF INVENTOR			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR			

FULL NAME OF SIXTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR			

Check proper box(es) for any added page(s) forming a part of this declaration

- ☐ Signature for ninth and subsequent joint inventors. Number of pages added :__.
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.
Number of pages added __.
- ☐ Signature for inventor who refuses to sign, or cannot be reached, by person authorized under 37 CFR 1.47.
Number of pages added __.

RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

CHRISTOPHE BECLIN

Additional name(s) of conveying party(ies) attached?

☒ Yes☐ No

2. Name and address of receiving party(ies)

Name: AVENTIS CROPS SCIENCES S.A.

Address: 55 Avenue Rene Cassin

City: Lyon

State:

Zip: F-69009

Additional name(s) and address(es) attached? Country: France

☒ Yes ☐ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other:

Execution Date: February 25, 2002

4. Application number(s) or patent number(s) U.S. Patent Application 10/030,829

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached?

☐ Yes☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Louis S. Sorell

BAKER BOTTS L.L.P.

30 Rockefeller Plaza - 44 Fl.

New York, NY 10112

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

02-4377 (Charge any additional fees to this account)

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature

To the best of my knowledge and belief, the foregoing instrumentation is true and correct and any attached copy is a true copy of the original document.

Alicia A. Russo

Name of Person Signing

Signature

April 11, 2002

Date

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Total number of pages including cover sheet, attachments and document:

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

10. Name of conveying party(ies):

TALINE ELMAYAN executed March 6, 2002
HERVE VAUCHERET executed March 11, 2002

Name of receiving party(ies):
INSTITUT NATIONAL RECHERCHE AGRONOMIQUE
147 Rue de l'Universite
F-75341 Paris Cedex 07
France

11. Application number(s) or registration number(s):

A. Patent Application No.(s)

B. Patent Registration No.(s)

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Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, DC 20231

A S S I G N M E N T

WHEREAS, WE, CHRISTOPHE BECLIN, TALINE ELMAYAN, and HERVÉ VAUCHERET, citizens of France, whose post office addresses are 57, rue du Port Royal, F-78470 St-Rémy-les-Chevreuses, France, 8, rue Pierre Palliot, F-21000 Dijon, France, and 3, rue de Wahlbach, F68510 Rantzwiller, France, respectively, have made an invention entitled "NOVEL SGS3 PLANT GENE AND USES THEREOF" as set forth and described in International Patent Application PCT/FR00/02052 filed July 13, 2000 and United States Patent Application Serial No. 10/030,829 filed January 11, 2002; and

WHEREAS, AVENTIS CROPSCIENCE S.A., a corporation organized and existing under the laws of France, and having an office for the transaction of business at 55, avenue René Cassin, F-69009 Lyon, France, and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, a corporation organized and existing under the laws of France, and having an office for the transaction of business at 147, rue de l'Université, F-75341 Paris Cedex 07, France, are desirous of acquiring the entire right, title and interest in and to said invention and any improvements thereon, and in and to the said application for Letters Patent therefor, and any Letters Patent which may be obtained therefor; and

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that WE, the said CHRISTOPHE BECLIN, TALINE ELMAYAN, and HERVÉ VAUCHERET, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, to us in hand paid by said AVENTIS CROPSCIENCE S.A. and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, and other valuable considerations unto us moving from said AVENTIS CROPSCIENCE S.A. and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, have sold, assigned, transferred and conveyed and by these presents do sell, assign, transfer and convey, unto said AVENTIS CROPSCIENCE S.A. and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, its successors and assigns, the entire right, title and interest in and to the said invention entitled "NOVEL SGS3 PLANT GENE AND USES THEREOF" as set forth in United States Patent Application Serial No. 10/030,829 filed January 11, 2002, and any and all improvements thereon, and in and to said application and any division, continuation or continuation-in-part thereof, and in and to any Letters Patent of the United States which may be issued on any of said applications, and any reissues thereof, and in and to any and all applications for Letters Patent filed in foreign countries for said invention or improvements including all priority rights, and any and all Letters Patent which may be granted in foreign countries therefor, TO HAVE AND TO HOLD THE SAME to the full end of the term or terms for which any and all said Letters Patent may be granted;

AND WE, the said CHRISTOPHE BECLIN, TALINE ELMAYAN, and HERVÉ VAUCHERET, do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent of the United States to said AVENTIS

CROPSCIENCE S.A. and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, as the assignees of the entire right, title and interest in and to the same, for the sole use and benefit of said AVENTIS CROPSCIENCE S.A. and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, its successors and assigns;

AND WE, the said CHRISTOPHE BECLIN, TALINE ELMAYAN, and HERVÉ VAUCHERET, for the considerations aforesaid, do hereby covenant and agree to and with said AVENTIS CROPSCIENCE S.A. and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, its successors and assigns, that we have the full power to make this assignment, and that the rights assigned are not encumbered by any grant, license or right heretofore given, and that we, our executors or administrators, shall and will do all lawful acts and things and make, execute and deliver without further compensation, any and all other instruments in writing, further applications, papers, affidavits, powers of attorney, assignments, and other documents which, in the opinion of counsel for said AVENTIS CROPSCIENCE S.A. and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, its successors and assigns, may be required or necessary more effectively to secure to and vest in said AVENTIS CROPSCIENCE S.A. and INSTITUT NATIONAL RECHERCHE AGRONOMIQUE, its successors and assigns, the entire right, title and interest in and to said invention and improvements, applications, Letters Patent, rights, titles, benefits, privileges, and advantages hereby sold, assigned, transferred and conveyed, and that we will sign any applications for reissue which may be desired by the owner of the patent or patents which may be issued for the said invention or improvements.


Subscribed and executed at

S: Remyrles Chervaise
(Place)

on 02/28/2002
(Date)


CHRISTOPHE BECLIN

Witness:

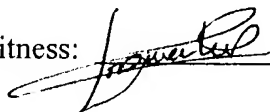

Florence PROUX

Witness:


Valérie BUREL

Subscribed and executed at Dijon (Place)
on 06/03/2002 (Date)



TALINE ELMAYAN

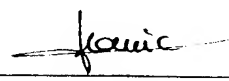
Witness:  FLORENTIN Jérôme

Witness:  MOREL Shanne

Subscribed and executed at Versailles (Place)
on 11/03/2002 (Date)


HERVÉ VAUCHERET

Witness:  PROUX Florence

Witness:  MOURIC Sandrine